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Hearing Date: November 14, 2023

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*Counsel for Defendants Aspida Holdco, LLC and
Aspida Financial Services, LLC*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PB LIFE AND ANNUITY CO., LTD., *et. al.*,

Debtors in Foreign Proceedings.

Chapter 15

Case No. 20-12791 (LGB)
(Jointly Administered)

JOHN JOHNSTON and RACHEL FRISBY as Joint
Provisional Liquidators on behalf of PB LIFE AND
ANNUITY CO., LTD., *et. al.*,

Plaintiffs,

v.

Adversary Proceeding
Case No. 23-01000 (LGB)

GREGREY EVAN LINDBERG aka GREG EVAN
LINDBERG et al.

Defendants.

**NOTICE OF MOTION OF DEFENDANTS ASPIDA HOLDCO, LLC AND
ASPIDA FINANCIAL SERVICES, LLC TO DISMISS AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Motion to Dismiss Plaintiffs' Amended Complaint filed by Defendants Aspida Holdco, LLC ("Aspida Holdco") and Aspida Financial Services, LLC ("Aspida Financial"), Aspida Holdco and Aspida Financial will move before The Honorable Lisa G. Beckerman of the United States Bankruptcy Court for the Southern District of New York (the "Court") for an order dismissing the adversary proceeding filed by John Johnston and Rachel Frisby, as Joint Provisional Liquidators, as against Aspida Holdco and Aspida Financial pursuant to Rules 8 and 12(b)(6) of the Federal Rules of Civil Procedure, as made applicable by the Federal Rules of Bankruptcy Procedure and such further relief as may be deemed just, on **November 14, 2023 at 10:00 am (prevailing Eastern time)** (the "Hearing"). Unless otherwise ordered by the Court, the Hearing will be conducted remotely through Zoom for Government. Parties are required to register to appear at Court hearings using the Bankruptcy Court's eCourt Appearances tool at the following link: <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl> Case participants must check in to confirm their appearance not later than 4:00 p.m., one (1) business day prior to the scheduled hearing date.

PLEASE TAKE FURTHER NOTICE that the Hearing may be continued or adjourned thereafter from time to time without further notice other than an announcement of the adjourned date or dates at the Hearing.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, the Defendant Aspida does not consent to the entry of final orders or judgment by this Court.

ASPIDA HOLDCO, LLC and
ASPIDA FINANCIAL SERVICES, LLC

by its attorneys,

/s/ Peter J. Haley
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Dated: October 16, 2023

CERTIFICATE OF SERVICE

I hereby certify that this document and supporting memorandum filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: October 16, 2023

/s/ Peter J. Haley